

**FEBRUARY 4, 2008  
PARMA CITY HALL COUNCIL CHAMBER  
REGULAR COUNCIL MEETING  
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Charles M. Germana presiding:

**COUNCIL MEMBERS PRESENT:**

LARRY NAPOLI  
KENNETH A. RAMSER  
THOMAS REGAS  
SCOTT M. TUMA  
SEAN P. BRENNAN  
NICHOLAS J. CELEBREZZE  
BRIAN DAY  
MARY GALINAS

**COUNCIL MEMBER ABSENT:**

ROY J. JECH

The following officials and department heads were also present: Mayor Dean E. DePiero, Chief Assistant Law Director Tim Miller, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Recreation Commissioner Mickey Vittardi, Director of Human Resources Elayne Siegfried, Senior Citizen Director JoAnn Mason, Community Development Director Erik Tollerup, Chief of Staff Meghann McCall, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, and Clerk of Council Tom Mastroianni.

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**INVOCATION**

The Invocation was given by Clerk of Council Tom Mastroianni.

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**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

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**VOICE VOTE:**

RESOLUTION NO. 12-08                      2/4/08                      L-12-08  
BY: **S. BRENNAN**, N. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI,  
K. A. RAMSER, T. REGAS, S. TUMA

**A RESOLUTION HONORING FRANK ESCHWEILER CITIZEN OF  
THE MONTH - DECEMBER, 2007**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 12-08. Motion carried.

Councilman Brennan presented the Resolution to Mr. Eschweiler and congratulated him. Mayor DePiero presented a Proclamation and the Key to the City to Mr. Eschweiler and congratulated him.

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Chris Castro from the Parma Court spoke about Ordinance No. 45-08 for the Court Computer System and for the Court's website. Councilman Tuma and Councilman Celebrezze commended Clerk of Court Marty Vittardi for their website.

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### LEGISLATIVE COMMENT

Mr. Germana - Asked if there was anyone from the public who would like to address City Council concerning legislation which we will be taking final action on tonight. No one wished to speak.

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### DISPOSAL OF THE JOURNAL

Mr. Germana - Stated, you have before you the Minutes from the Regular Council Meeting of December 17, 2007, Regular Council Meeting of January 14, 2008, and the Regular Council Meeting of January 22, 2008. Asked if there were any additions or corrections to these Minutes. Stated, seeing none, the Minutes will stand approved as printed.

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### COMMUNICATIONS, PETITIONS, AND CLAIMS

Notice of Proposal to Vary for an Extension for the Variance granted by Council on September 10, 2007. The applicant is Anne Burkey of Burkshire Construction Company, 6033 State Road, PPN 446-05-012. The first request is for a "Use" Variance of the City of Parma Codified Ordinances of Section 1170.03 - PLANNING AND ZONING CODE - SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to build a new garage/warehouse unit in Retail Business Zoning District at 6033 State Rd. Warehouse units are not a permitted use in Retail Business Zoning Districts. This Variance would result in allowing a storage warehouse to be erected in a Retail Business District. There is a stipulation that the applicant must see that there is an 8 x 8" curb poured there to be a buffer for the vehicles from the sidewalk. The second request is for an "Area" Variance of the City of Parma Codified Ordinances of Section 1199.04® SCREENING AND BUFFERING BUFFER AREAS FOR YARDS ABUTTING PUBLIC STREETS AND PARKING LOTS - PERIMETER PARKING BUFFER STRIPS. The proposal is to build a new garage/warehouse unit in Retail Business Zoning District at 6033 State Road. A minimum grass-covered buffer strip of 6' width with a 6" high cement curbing is required from the sidewalk to any parking area or driveway aisle that is located in a required yard abutting a public road. The proposal is for zero feet in width and no curbing. This Variance would result in 6' less width for grass-covered buffer strip and 6" less curbing from sidewalk to parking and driveway aisle. There is a stipulation that the applicant must see that there is an 8 x 8" curb poured there to be a buffer for the vehicles from the sidewalk. This is the first request for an extension of the Variance for this project.

Motion made by Councilman Celebrezze, seconded by Councilwoman Galinas, to grant this Variance extension to Anne Burkey of Burkshire Construction Company. Motion carried.

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Notice to Legislative Authority, Ohio Division of Liquor Control, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005, Permit Number 29017690300 for a new C2 D1 Liquor Permit for Fred W. Albrecht Grocery Company, dba Acme 20, 1225 Pleasant Valley Rd., Parma, Ohio 44134. Mailed January 30, 2008. Responses must be postmarked no later than March 3, 2008.

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Notice to Legislative Authority, Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43068-9005, Permit Number 80600800005 for a new C1 C2 Liquor Permit for Nedha Shehadeh, dba Snow & Chevy Marathon, 11750 Snow Road, Parma, Ohio 44130. Mailed January 23, 2008. Responses must be postmarked no later than February 25, 2008.

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Notice to Legislative Authority, Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43068-9005, Permit Number 1059690 for a transfer

of a D1, D2, D3, D3A, D6 Liquor Permit from Tricketts Tavern LTD, 11717 Snow Road, Parma, Ohio 44130 to BTO of Cleveland, LLC, dba Tricketts Tavern, 11717 Snow Road,  
**COMMUNICATIONS, PETITIONS AND CLAIMS CONTINUED:**

Parma, Ohio 44130. Mailed January 31, 2008. Responses must be postmarked no later than March 3, 2008.

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Mr. Germana - Said Liquor Permits will be referred to the Safety Director and to Ward Council.  
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Communication from Law Director Timothy Dobeck requesting Council approve legal representation of Sgt. David Ferrante, who has been named as a defendant in the case of Michael Ragan, et al. v. City of Parma, et al. Cuyahoga County Common Pleas Case No. CV-08-647289.

Motion made by Councilman Day, seconded by Councilwoman Galinas to represent Sgt. David Ferrante in a Law Suite. Motion carried.  
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**ORDINANCES AND RESOLUTIONS**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to amend the Calendar as follows: Remove Ordinance No. 38-08 under Suspension of the Rules on Page 4 and place on Page 1 under First Reading after Resolution No. 33-08. Also, on Page 1 under First Reading, add Ordinance No. 47-08 after Ordinance No. 38-08. Motion carried.  
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**FIRST READING:**

RESOLUTION NO. 28-08                      2/4/08                      L-28-08  
BY: **T. REGAS**

A RESOLUTION TO GRANT A MORAL CLAIM TO ELMER  
KRAL FOR A CLAIM FOR INJURIES/DAMAGES SUFFERED  
AS A RESULT OF AN INCIDENT FROM MARCH 12, 2004,  
AND DECLARING AN EMERGENCY

Mr. Germana - Said Resolution will be referred to the Finance Committee.  
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RESOLUTION NO. 33-08                      2/4/08                      L-33-08  
BY: **S. BRENNAN**  
(By Request - Law Director)

A RESOLUTION IN SUPPORT OF "NATIONAL CONSUMER  
PROTECTION WEEK," DESIGNATED THE WEEK OF MARCH 2<sup>ND</sup>  
THROUGH MARCH 8<sup>TH</sup> OF 2008, AND DECLARING AN  
EMERGENCY

Mr. Germana - Said Resolution will be referred to the Governmental Operations Committee.  
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ORDINANCE NO. 38-08                      2/4/08                      L-38-08  
BY: **S. BRENNAN**  
(By Request - Human Resources Director)

AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE  
BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA AND

**FIRST READING CONTINUED:**

Mr. Germana - Said Ordinance will be referred to the Governmental Operations Committee.

BY: M. GALINAS

Mr. Germana - Said Ordinance will be referred to the Finance Committee.

BY: **N. CELEBREZZE, S. P. BRENNAN**

Motion made by Councilman Celebrezze, seconded by Councilman Day, to refer Ordinance No. 15-08 back to the Planning Committee. Motion carried.

BY: **S. TUMA**

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Ordinance No. 17-08 back to the Finance Committee. Motion carried.

BY: S. TUMA

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## CONTENTS AND BOILERS, AND DECLARING AN EMERGENCY

ORDINANCE NO. 22-08                      1/22/08                      L-22-08

ORDINANCE NO. 25-08                      1/22/08                      L-25-08

RESOLUTION NO. 27-08                      1/22/08                      L-27-08



## DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to hold Ordinance No. 264-07, per the request of the Mayor and the Law Director. Motion carried.

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### THIRD READING CONTINUED:

ORDINANCE NO. 392-07                      12/17/07              L-391-07  
BY: **L. NAPOLI, B. DAY, K. A. RAMSER, T. REGAS, S. M. TUMA, S. P. BRENNAN,**  
     **N. J. CELEBREZZE, M. GALINAS**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE  
TO ENTER INTO A GRANT OF CONSERVATION EASEMENT AGREEMENT,  
AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 392-07 as follows: In Section 1, Line 3, insert "**West Creek Preservation Committee**" and in Section 2, Line 2, insert "**West Creek Preservation Committee**". Further moved to Waive Rule 51 and place Ordinance No. 392-07 on Third Reading as amended. Motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 392-07 as amended.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 392-07 is adopted as amended.

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RESOLUTION NO. 9-08                      1/14/08              L-9-08  
BY: **S. M. TUMA**

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE  
CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS AND  
PLACES IN THE CITY OF PARMA, OHIO, BY PROVIDING  
STREET LIGHTING, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to refer Resolution No. 9-08 on Third Reading back to the Finance Committee. Motion carried.

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### SUSPENSION OF THE RULES:

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 31-08, Ordinance No. 35-08, Ordinance No. 36-08, Resolution No. 39-08, Ordinance No. 40-08, Resolution No. 41-08, Ordinance No. 42-08, Resolution No. 43-08, and Ordinance No. 45-08 on three different days be dispensed with?

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; motion carried.

Mr. Germana - Shall Rule 44 requiring reference to Committee be dispensed with and Resolution No. 31-08, Ordinance No. 35-08, Ordinance No. 36-08, Resolution No. 39-08, Ordinance No. 40-08, Resolution No. 41-08, Ordinance No. 42-08, Resolution No. 43-08, and Ordinance No. 45-08 be placed on final passage?

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; motion carried.

RESOLUTION NO. 31-08                      2/4/08                      L-31-08  
BY: **R. J. JECH**, L. NAPOLI, K. A. RAMSER, T. REGAS, S. M. TUMA, S. P. BRENNAN,  
N. J. CELEBREZZE, B. DAY, M. GALINAS

A RESOLUTION IN SUPPORT OF THE CONTINUATION AND  
STRENGTHENING OF TRADITIONAL MEDICARE, AND  
**SUSPENSION OF THE RULES CONTINUED:**

DECLARING AN EMERGENCY

Motion made by Councilman Brennan, seconded by Councilman Day, to refer  
Resolution No. 31-08 to the Governmental Operations Committee. Motion carried.

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ORDINANCE NO. 35-08                      2/4/08                      L-35-08  
BY: **S. M. TUMA**  
(By Request - Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF  
ORDINANCE NO. 129-06 RELATIVE TO THE AMOUNT FOR  
A CONTRACT FOR THE PURCHASE OF GASOLINE AND  
FUEL OIL IN THE CITY OF PARMA, AND DECLARING AN  
EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt  
Ordinance No. 35-08.

Councilwoman Galinas - Asked about the big increase in the amount of money for  
fuel.

Service Director Higgins - Stated that this is an open ending contract. We buy that  
under State bid. We certified x amount of dollars last year for this contract. We have to  
bring it back to Council again to certify some more monies. We buy that from Universal Oil  
State bid.

Mr. Germana - Asked if that bid was under what the going retail rate is.

Service Director Higgins - Stated - that's correct.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 35-08 is adopted.

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ORDINANCE NO. 36-08                      2/4/08                      L-36-08  
BY: **N. CELEBREZZE**  
(By Request - Mayor)

AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE  
NO. 311-07 RELATIVE TO THE FUND NUMBER FOR THE  
CONTRACT FOR CONSULTING SERVICES FOR THE SALE  
AND ACQUISITION OF CITY-OWNED PROPERTIES, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt  
Ordinance No. 36-08.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 36-08 is adopted.

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RESOLUTION NO. 39-08                      2/4/08                      L-39-08



BY: **B. DAY**

A RESOLUTION TO WITHDRAW THE CITY OF PARMA'S  
OBJECTION TO THE ISSUANCE OF RENEWAL "D5" AND  
"D6" LIQUOR PERMITS BY THE DEPARTMENT OF LIQUOR  
CONTROL TO OLD SCHOOL ENTERPRISES, INC., DBA  
LONDON AIRE TAVERN LOCATED AT 2903 BROOKPARK  
ROAD IN THE CITY OF PARMA, OHIO, AND DECLARING

**SUSPENSION OF THE RULES CONTINUED:**

**AN EMERGENCY**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 39-08.

Councilman Tuma - Asked for a brief explanation.

Councilman Day - As you might remember a few months ago, I had introduced a Resolution objecting to the renewal of the liquor license for the London Aire Tavern. I was having some challenges there with some of my residents with some things going on there. In conjunction with Tim Dobeck and Rich Summers from the Law Department, we have been able to resolve those differences. As a result, I am looking to remove that.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Resolution No. 39-08 is adopted.

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ORDINANCE NO. 40-08

2/4/08

L-40-08

BY: **B. DAY, M. GALINAS**

(By Request - Community Services & Economic Development Director)

AN ORDINANCE TO VACATE A PORTION OF STATEN  
HEIGHTS BOULEVARD IN THE CITY OF PARMA, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 40-08.

Councilwoman Galinas - Asked for a brief explanation.

Mayor DePiero - Stated that Staten Heights Boulevard is a street that was originally platted that runs just north of the old Fire Station No. 2, and to the east of the Animal Shelter. That property is being vacated because that property is being sold, and in order to consolidate the lots, we need to vacate this street that was platted at one time.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 40-08 is adopted.

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RESOLUTION NO. 41-08

2/4/08

L-41-08

BY: **N. CELEBREZZE, L. NAPOLI, K. A. RAMSER, T. REGAS, S. M. TUMA, S. P. BRENNAN, B. DAY, M. GALINAS**

A RESOLUTION IN SUPPORT OF ISSUE 15, THE CUYAHOGA  
COUNTY HEALTH & HUMAN SERVICE 4.8 MILL REPLACEMENT  
AND REDUCTION LEVY, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 41-08.

Councilman Celebrezze - Stated that Issue 15 helps control the base funding for our County's Child Welfare Services, our Public Assistance Programs, some of our Senior

Citizens Homes Prevention Agency as well as helps control some of the funding for Metro Health and Foster Care and Adoption Service throughout the County. It is a replacement levy and it's going to lower the mileage from 4.9 to 4.8. Urged all his colleagues to help him support this levy.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Resolution No. 41-08 is adopted.

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**SUSPENSION OF THE RULES CONTINUED;**

ORDINANCE NO. 42-08

2/4/08

L-42-08

BY: **S. M. TUMA**

(By Request - Auditor)

**AN ORDINANCE TO AMEND THE 2008 TEMPORARY APPROPRIATIONS  
OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY**

Motion made by Councilman Tuma, seconded by Councilman Day, to amend Ordinance No. 42-08 under Suspension of the Rules by accepting the Revised Exhibit "A". Motion carried.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 42-08 as amended.

Yes; Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 42-08 is adopted.

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RESOLUTION NO. 43-08

2/4/08

L-43-08

BY: **S. M. TUMA**

(By Request - Auditor)

**A RESOLUTION APPROVING THE CITY AUDITOR'S POST  
CERTIFICATION OF REQUISITIONS AS DETAILED IN EXHIBIT "A"  
AND DECLARING AN EMERGENCY**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Resolution No. 43-08.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Resolution No. 43-08 is adopted.

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ORDINANCE NO. 45-08

2/4/08

L-45-08

BY: **S. M. TUMA, L. NAPOLI, K. A. RAMSER, T. REGAS, S. P. BRENNAN,  
N. J. CELEBREZZE, B. DAY, M. GALINAS**

(By Request - Clerk of Court)

**AN ORDINANCE AUTHORIZING THE CLERK OF COURT TO  
ENTER INTO A CONTRACT WITH INNOVARE SOLUTIONS,  
LLC, FOR SOFTWARE SUPPORT FOR 2008 FOR THE  
PARMA JUSTICE CENTER, AND DECLARING AN EMERGENCY**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adopt Ordinance No. 45-08.

Yes: Napoli, Ramser, Regas, Tuma, Brennan, Celebrezze, Day, Galinas.

No: None; Ordinance No. 45-08 is adopted.

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## **APPOINTMENTS AND CONFIRMATIONS**

There were no appointments or confirmations.

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### **PUBLIC SESSION**

Janet Hobbin, 12341 Debby Drive - Asked for clarification before they pass Ordinance No. 264-07 regarding the sewers. Asked how many streets are there in Parma and how many households have experienced flooding in the past five years? Stated she has a lot of relatives that live in Parma and none of them have experienced flooding. Wants to know how long the assessment will be stretched out. Made comments relative to all the taxes Parma residents pay.

### **PUBLIC SESSION CONTINUED:**

Dennis Kampe, 4611 Sarasota Drive - Stated it was indicated that the vote was being postponed on 264-07 until the Ordinance is back. Stated - It sounds like, first, the Ordinance authorizes action which apparently has already been taken. Stated - Number two, if in fact you want to see the Ordinance or the attentive agreement or potential agreement prior to voting in the next few weeks, that it's clearly earmarked as to what explicitly is going to be done, whether or not it will be renewed on a yearly basis or will it be one of these so long as the County doesn't care and the City continues, it's up until we're all pushing up daisies. I don't know what's in that agreement. You tell me, now, that seemingly it hasn't be consummated. I believe you, but I guess I don't understand why in fact that you're postponing the vote tonight. Mentioned the \$2.15 linear foot charge. Almost everybody that shows up here doesn't care what the water coming into their house is because generally it is good. Almost everybody that is here says that they have water in their basement. The question that I have relative to this agreement is whether or not these numbers can be modified or is it a lock in at \$1.75, 25 and 15 for this first term and if so, given the 25 cents a linear foot times two million feet is a half a million dollars worth of monies relative to sewers which is approximately I would expect about the full budget for the Sewer Department of eleven people. So, there should be some action when these monies become available not just that four and a half million dollar windfall ends up elsewhere so long as we demonstrate somehow that four and a half million dollars will be spent within the confines of the agreement. In about two weeks, the Engineering Department should be coming before you for budgetary consideration. Hopefully, there will be some line item or something in there relative to a new full time, part time assistant or full Engineer directly devoted to this project. You have an opportunity to do something now, and I hope that is the case as versus just go to the County and hope.

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Martin Drabek, 7696 Cecilia Drive - Made comments relative to the Budget process. Stated - As far as 264-07 is concerned, I've gotten calls from several cities including Brecksville and Parma Heights. They're not happy with the sewer problem with the County Agreement. I'd like to know if you have any idea how long this agreement is going to be for. Is it open ended for the next hundred years? How much is it going to be next year, the year after, and year after that? If this isn't spelled out in the contract, it should be.

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George Gross, 7584 Malibu Drive - Stated as a 52 year tax payer, when I moved in here, the builders put up \$1500.00, etc., they said the County was going to widen Pleasant Valley. Well, part of it was just done this year again. My section is still the same, one lane from York to 130<sup>th</sup>. Now, if you're going to go into an agreement with the County Sewer District and their record for the past 52 years to put my street in, are we going to wait 50 more years for the County to come in and do sewer work for us when we want it. How long are we going to have to wait if we have a sewer problem for them to come in?

Asked if there is going to be a clause in the agreement stating that the City of Parma will pick up any increase in the future if the people have been paying it for a good number of years? Asked why the City and the School District can't get together when they decide to put levies on the Ballot?

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Sebastian Tinnirello, 7902 Thornton Drive - Stated - I have been a resident of Parma for forty some years. The last year, I had water in my basement, never had it before. If Cuyahoga Sewer District is not going to do this work, who is? So far, this seems to be the best solution you have come up with, so far. This should have been done yesterday. You are criticized for doing nothing, you're criticized for not fixing the sewers, and you're criticized because people get water in their basement, but nobody says, we're doing something, we're trying, we're going to assess you, and you are going to pay for it.

#### **PUBLIC SESSION CONTINUED:**

Nothing is free in this world. Take your time, do the job right, but we have to do something.

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Arthur Andrzaewski, 7206 Lassiter Drive - I agree that the sewers need to be maintained and repaired. However, the method of paying for it, I disagree with. When you have somebody on Pleasant Valley Road that has 200 feet of frontage, two people retired living in the home; another home, 70 foot frontage, two people retired; another home 45 feet, six kids, four kids, it's not equitable. Linear footage is not equitable for the residents of Parma. The total amount of linear footage I agree with, but that should be divided up by usage. I'm wondering if anyone has investigated with the City of Cleveland, We get a sewer bill quarterly for the amount of water we use going through the sewer system. Has anybody investigated whether we can get with the City of Cleveland and somehow meter it so that the people that use the system the most are assessed for it, and those that don't use it that much are assessed less?

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#### **MISCELLANEOUS BUSINESS**

Mayor DePiero - Answered questions that residents asked. Stated that we have had a good tradition of five or six good Public Hearings on each department and this is the fifth Budget since I have been Mayor and I think this has been a very good process in that we make all the Directors come before Council to ask questions and talk about new programs. Stated that this has been the most open Budget process since I have been an Elected Official in Parma. I would have to strongly disagree that this is a closed process and a cavalier process. We take it very seriously. I will say some of the numbers in the Budget documents will be changed as we review them and lowered in many cases as we go through and attempt to get a lean but functional Budget for the City of Parma. Stated to the resident on Debby Drive, as far as the number of households and streets, I can get that information. We had reported, from the past two storms, over 1500 homes that had some type of water damage, and I would venture to bet that is less than half of the people who actually had water damage. I think it's important to note that many do not call the City when they are flooded. I would venture to say that a few thousand probably flood on a regular basis during a good storm.

Mr. Germana - Stated that people don't report it when they are flooded so that it is not on record so that when they ever decide to sell their house, they don't have to say that they flooded.

Mayor DePiero - As far as State and Federal money, on a regular basis, this Administration lobby's our legislators, State and Federal, County, NOACA, etc. for money, and we have been successful in getting Issue 2 money, etc. However, currently the City is under EPA mandate to do about ten sewer projects much like we did in Mr. Napoli's Ward

and others, to change septic tanks to sanitary sewers. Those are mandated projects that were sitting on my desk when I walked into office on January 1, 2004. The money that we get goes to those projects because there is a mandate to do that. Unfortunately, there is not enough Federal and State money to do all that we need to do, but over time we're doing it. Unfortunately, that money goes first to EPA mandates. The contract is a contract that will be approved by Council on a yearly basis if it is entered into, and of course, it can be changed if we're not satisfied with the process or if we're not satisfied with how the contract goes, it can be terminated by Council at any time. I think there is a thirty day escape clause in the contract. The reason that the contract has not been passed is because we are still trying to tighten up the language to make sure that if Council does act on this that we have the right protections for the public and Council. So, that is still being worked out. The number \$2.15 can be changed. Certainly, there are other options but they all cost money. One of the options was for the City to hire more individuals to work in the Sewer

**MISCELLANEOUS BUSINESS CONTINUED:**

Department and to invest millions more in equipment. That is an option, but there is also the question of paying for that option and whether or not that through a regional approach, and sometimes I think that regional is a good thing and sometimes I don't think it works so well; but in a situation like this, we believe it's at least a good option to look at. With regard to the Pleasant Valley Road Project, County Engineer Klaiber cooperated with the City to get that done. The project was well done. He helped us obtain County money and Federal money to complete the project and the sewer project was completed as well. I can't speak for all County Government, but I can say that County Engineer Klaiber, as far as I can see, has run a good shop. Since he has taken over the County Engineer Department, which is only about three years, he has received good reviews. There is also a good issue with equity. How should this be paid for? If Council passes it, one of the ways is through front footage. There are also ways that there can be an assessment. I'll have to check on the usage part of it. One way could be by property owner. You could just divide up the cost and portion it by property owners or the size of a person's property. The reason that project has been laid out like this, I believe, is that the other thirty communities do it by front footage, because I think the other ways have been looked at. Of course, when we are looking at the contract, we can take a look at that and see if that can be done and if not, why not. There is some kind of misconception about the Northeast Ohio Regional Sewer District. The Northeast Ohio Regional Sewer District is the entity which you pay your sewer bills to on a quarterly basis. None of that money goes to the maintenance of local sewers on your side street or your neighborhoods, etc. The money that is paid to the Sewer District is paid to treat storm water, to treat sewage water, and to carry sewage from city to city so that it can be treated. The Sewer District does participate in local projects, for example, the project that we're working on for the Chevrolet Boulevard area. The Sewer District treats sewage water. Mentioned his 4<sup>th</sup> State of the City Address at Tri C West Community College. The public is welcome and invited.

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Safety Director Baeppler - No comment.

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Service Director Higgins - Stated that the Mayor did a good job of addressing most of the questions. Stated that our Sewer Department is so thin and there are some EPA mandates and a report that has to be filed. The fact is we are not doing a do diligence in our sanitary sewers here in the City, and that report is going to reflect that. We have spoken before about possible fines or mandates that the EPA can actually put on us for our lack of do diligence around here like we need to do. Hopefully, this will help address some of that. The rest of the Sewer Department will stay in tact and concentrate on the storm

portion of our City system. The monies that are going to be collected, if it's passed, will be clearly earmarked and reported on a yearly basis.

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Chief Assistant Law Director Miller - No comment.

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Councilman Napoli - Stated that the Mayor and the Service Director hit many points that need to be addressed. We have all discussed this issue. Stated this issue will cost us more in the long run if we do not do anything now. I assure you budgets and costs are definitely considered when 264-07 hits the floor, and I will give all thought to the senior citizens and everyone involved, and we will do our best.

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Councilman Ramser - This is a problem that has been ignored for years and by ignoring it, it hasn't gone away. It's only gotten worse. I appreciate what this City has done for my residents with the List Lane Project, but I'm telling you the last time we had floods in Parma this past year, I got water in my basement, just a little, and it petrified me.

**MISCELLANEOUS BUSINESS CONTINUED:**

We have to do something.

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Councilman Regas - No comment.

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Councilman Tuma - Stated - It has come to my attention that some residents have been plowing their snow into the street and onto the sidewalks. Stated, we do have Ordinances in effect that prohibit residents from doing that or having individuals do that. In addition to that, just a reminder to people who hire contractors to remove snow from their drives and sidewalks to keep that snow away from the fire hydrants so that there is accessibility, in the event that the Fire Department needs to get to those fire hydrants.

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Councilman Brennan - We have talked for hours on the sewer issue. This is an issue that we have explored for over a year. We have looked and looked for other options and we just don't know what else to do. I've been a Councilman for four years and for four years I have had hundreds of residents call me with flooded basements with the loss of thousands of dollars worth of property and things that you can't put a value on, family pictures, wedding albums, etc. I've had many residents call me that have human feces coming into their basements. When you go to someone's house and you see that, how do you look someone in the face and say we don't have the money to fix this problem? I can't go into someone's house again and do that. This is not going to be an overnight fix. This is going to take some time to fix. We're not going to be able to fix every sewer and every water line in the City in twenty-four hours or in one year. Low water pressure is another problem in certain areas of our City. There's money in this project that's going to be earmarked not only for sanitary sewers but also for water lines as well as storm sewers. We believe this is going to protect the property values. I think this is a proactive move. It will address our current sewer problems and represents a preventative solution to areas that don't yet have problems. If we act now, the planning will begin now in 2008. We don't begin paying until 2009. The County Sanitary Engineer has already agreed to start working with the City now before they even begin collecting the monies. It is a regional approach which can be done cheaper and more efficiently than if we do it on our own. However, we are not simply handing over our sewer lines to the County Sanitary Engineer. It's a partnership. The County Sanitary Engineer will be working very closely with the Service Director and our City Engineer in planning the projects, and what work is going to be done each year and for future years. Another financial aspect of it is the County Sanitary Engineer can bond the projects which would not have a negative effect on Parma's bond rating. We're saving tax

payer dollars there. We'll continue to seek grant monies. Made positive comments regarding the County Sanitary Engineer, Bob Klaiber.

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Councilman Celebrezze - Thanked his colleagues for supporting him in passing Resolution No. 41-08 which is in support of Issue 15, the Cuyahoga County Health & Human Service 4.8 mill replacement and reduction levy. Thanked the Administration and the Law Department for being prudent and taking their time with the sewer contract.

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Councilman Day - Commended the residents who came here this evening, and the ones who came up to the microphone and asked the questions. Stated they were great questions. Stated he echoes the comments made by the Mayor, Service Director, and his colleagues regarding the sewer issue.

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Councilwoman Galinas - Thanked everyone for being here tonight. We all have had our residents contact us regarding the sewer issue. Stated - We keep on getting assurances from other communities that this program works very well, so we're hopeful that it will do

#### **MISCELLANEOUS BUSINESS CONTINUED:**

the same in our City and yet we are still taking a hard look at this. Made comments to the flooding that residents had in her Ward last August.

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Mr. Germana - Made comments relative to the Budget. Stated that anyone that wants a copy of any department's budget is welcome to it. It's public information. Made comments relative to the sewer issue. Stated that the monies will be used strictly for Parma. Stated that we are not just turning our Sewer Department over to the County. There is an accounting for all of the monies. Everything they will do will be accounted for. We looked at what other cities did, and we are starting at \$2.15. We're making the best estimate we can. From all the testimony and all the research that has been done, this is the best way to go. People cannot fix the sewer system by themselves; the government has to do it, either individually or with a specialized unit called the Sanitary Engineer. If there's a better system, we'll do that. We are all putting our reputation and our jobs on the line in doing this.

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#### **REPORT ON ABSENT OFFICIALS**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to excuse Councilman Jech, Treasurer Zielinski, and Auditor Kish. Motion carried.

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#### **ADJOURNMENT**

Motion made by Councilman Day, seconded by Councilwoman Galinas, to adjourn said Regular Council Meeting. Motion carried.

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#### **CERTIFICATION**

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, February 4, 2008.

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Thomas Mastroianni  
Clerk of Council

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Charles M. Germana  
President of Council

Meeting adjourned at 8:55 P.M.

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(Minutes completed 2-22-08)